

(2) District No. 2—the counties of Kittitas, Douglas, Chelan, and Okanogan, plus the Quincy Irrigation District of the Columbia Basin Project, plus the area of Grant County not included in the East or South Irrigation Districts which lies west of township line R28E.

(3) District No. 3—the counties of Benton, Klickitat, and Yakima.

(4) District No. 4—the counties of Walla Walla, Columbia, Garfield, and Asotin, plus the South Irrigation District of the Columbia Basin Project, plus the area of Franklin County not included in the South District.

(5) District No. 5—all of the remaining counties in the State of Washington, not included in Districts No. 1, 2, 3, and 4 of this paragraph.

(b) The new districts are established in the current fiscal period only for the purpose of making nominations of committee members for the coming fiscal period. The new districts are to be established as operating entities beginning on July 1, 1975.

[40 FR 12988, Mar. 24, 1975]

**§ 946.104 Reapportionment of committee membership.**

(a) Pursuant to § 946.25(c), membership representation of the State of Washington Potato Committee shall be reapportioned among the districts of the production area so as to provide the following members and their respective alternates:

(1) District No. 1—Three producer members and one handler member;

(2) District No. 2—Two producer members and one handler member;

(3) District No. 3—Two producer members and one handler member;

(4) District No. 4—Two producer members and one handler member;

(5) District No. 5—One producer member and one handler member.

(b) [Reserved]

[40 FR 12988, Mar. 24, 1975, as amended at 43 FR 52199, Nov. 9, 1978; 52 FR 13070, Apr. 21, 1987]

**SPECIAL PURPOSE CERTIFICATES**

**§ 946.120 Application.**

(a) Whenever shipments for special purposes pursuant to § 946.54 are relieved in whole or in part from regula-

tions issued under § 946.52, each handler desiring to make shipments of potatoes for the following purposes shall obtain from the committee, prior to initiating such shipments, a special purpose certificate permitting such shipments:

(1) Charity;

(2) Export;

(3) Prepeeling outside the district where grown;

(4) Grading or storing at any specified location in Morrow or Umatilla Counties in the State of Oregon; and

(5) Experimentation.

(b) Applications for special purpose shipment certificates shall be made on forms furnished by the committee. Such application shall contain the name and address of the handler, and such other information that the committee may require such as the estimated amount of potatoes to be shipped, the grades and sizes of potatoes to be shipped (when applicable), expected consignees and destinations, certification by applicant that statements are correct and that he will comply with disposition stated therein, and other information or documents as the committee may require in safeguarding against entry of such potatoes into trade channels other than those for which the special purpose certificate was granted.

[39 FR 1972, Jan. 16, 1974, as amended at 65 FR 70463, Nov. 24, 2000]

**§ 946.121 Issuance.**

The committee, or its duly authorized agents, shall give prompt consideration to each applicant for a special purpose certificate. Upon approval of the application, a special purpose certificate shall be issued authorizing the applicant named therein to ship potatoes for a specified purpose for a specified period of time.

[39 FR 1972, Jan. 16, 1974]

**§ 946.122 Reports.**

Each handler shipping potatoes under and pursuant to a special purpose certificate shall supply to the committee, upon request, a report thereon showing the name and address of the shipper, car or truck number, Federal-State Inspection Certificate number (if such inspection is required by regulations in

## Agricultural Marketing Service, USDA

## § 946.140

effect at the time of such shipment), loading point, destination and consignee.

[39 FR 1972, Jan. 16, 1974]

### § 946.123 Denial and appeals.

The committee may rescind a special purpose certificate issued to a handler for the purpose specified in § 946.120(a), or deny such special purpose certificates to a handler, upon proof satisfactory to the committee that such handler has shipped potatoes contrary to those provisions. Such committee action denying or rescinding a special purpose certificate shall apply to and not exceed a reasonable period of time as determined by the committee. Any handler who has been denied a special purpose certificate or who has had a special purpose certificate rescinded may appeal to the committee for reconsideration. Such appeal shall be in writing.

[39 FR 1972, Jan. 16, 1974]

### MODIFICATION OF INSPECTION REQUIREMENTS

### § 946.130 Application.

Any handler whose packing facilities are located in an area where a Washington State Department of Agriculture, Plant Industry Division Office or Federal-State Inspector is not readily available to perform the inspection required by this part may, pursuant to § 946.60(a), apply to the committee for a permit authorizing modification of inspection requirements. Applications shall be made on forms furnished by the committee and shall contain such information as the committee, with approval of the Secretary, may find necessary in making a determination regarding the issuance of such permit.

[39 FR 1972, Jan. 16, 1974]

### § 946.131 Issuance.

The committee, or its duly authorized agents, shall give prompt consideration to each application for an inspection modification permit. Approval of an application shall be evidenced by the issuance of an applicable permit.

[39 FR 1972, Jan. 16, 1974]

### § 946.132 Reports.

Each handler shipping potatoes pursuant to an inspection modification permit shall report periodically as specified by the committee on forms furnished by the committee the following information on each shipment: quantity of potatoes, variety or varieties, grade, minimum size, type of container(s), date of shipment, carrier, destination, and name and address of receiver.

[39 FR 1972, Jan. 16, 1974]

### § 946.133 Cancellation.

Whenever the committee finds that shipments of potatoes pursuant to an inspection modification permit are not in accordance with the application provisions of the order, such inspection modification permit may be cancelled.

[39 FR 1972, Jan. 16, 1974]

### § 946.140 Handling potatoes for commercial processing into products.

Pursuant to § 946.54(a)(6), shipments of potatoes for commercial processing into products may be made only in accordance with paragraphs (a) or (b) of this section.

(a) Shipments may be made to persons whose names are on the State of Washington Potato Committee's list of manufacturers of potato products. Such list may consist of firms actively engaged in the business of canning, freezing, or "other processing" as defined in the act.

(1) Persons desiring to have their name placed on the committee's list shall apply to the committee. Such application shall contain the following:

- (i) Name and address of applicant;
- (ii) Location and description of facilities for commercial processing into products;
- (iii) Expected source of potatoes for commercial processing into products;
- (iv) Such other information as the committee, with approval of the Secretary, may deem necessary.

(2) Upon receipt of an application for such listing, the State of Washington Potato Committee shall make such investigation as it deems necessary, and if it appears that the applicant may reasonably be expected to use potatoes